

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

Robbie L. Burris
a/k/a "Country Guy"

Case No: 2:10CR00026-009

USM No: 09854-028

Date of Original Judgment: 04/30/2012

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Pro Se

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

(Complete Parts I and II of Page 2 when motion is granted)

Mr. Burris's sentence was imposed pursuant to an 11(c)(1)(C) plea agreement that was not expressly based on the Court's guideline calculation therefore, he is not eligible for a sentence reduction under Amendment 782. *Freeman v. United States*, 131 S. Ct. 2685 (2011). In addition, Mr. Burris waived any right to challenge his sentence under the terms of the plea agreement.



Except as otherwise provided, all provisions of the judgment dated May 4, 2012 shall remain in effect.

IT IS SO ORDERED.

Order Date: June 29, 2016

Effective Date: _____
(if different from order date)

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana